

**REMARKS**

In accordance with the foregoing, claims 1-4, 6-8, and 10-15 are amended and new claim 16 is presented. No new matter is presented, and approval and entry of the amendments to the claims and new claim are respectfully requested.

Claims 1-16 are pending and under consideration. Reconsideration is requested.

**I. Traverse of rejection under 35 U.S.C. §101**

In item 7 of the Office Action, the Examiner rejects claims 1-9 and 13-15 under 35 U.S.C. §101. (See, Office Action at pages 3-4).

Independent claim 1 is amended herein to recite a method including "a first questioning performed by a first terminal . . . ; obtaining performed by the first terminal a free reply . . . ; a first storing for storing in a processing server . . ." (Emphasis added).

Independent claim 13 is amended herein to recite "a polling method performed by a terminal." (Emphasis added)

Applicants submit that independent claims 1 and 13 (and dependent claims 2-9 and 14-15) each positively recite a sufficient tie to a statutory class of invention and comply with 35 U.S.C. §101.

**Conclusion**

Thus, withdrawal of the rejection of claims 1-9 and 13-15 under 35 U.S.C. §101 is requested.

**II. Traverse of rejection under 35 U.S.C. §103(a)**

In items 9-11 of the Office Action, the Examiner rejects independent claims 1 and 10-13 (and dependent claims 2-9 and 14-15) under 35 U.S.C. §103 as being unpatentable over Patterson, Lois (Teach Yourself Microsoft Excel® 97 in 24 Hours, 1997) ("Patterson") alone and in combination with Walker et al. (U.S. 6,616,458) ("Walker"). (See, Action at pages 5-10).

The rejections are traversed. Applicants submit that all of the features recited by at least each of the independent claims are not taught by the current art of record.

\* \* \*

Independent claim 1 recites a polling method performed by a processing server including "a first questioning performed by a first terminal by presenting an input form with a question to a first respondent; obtaining performed by the first terminal a free reply by accepting input onto the input form by a first respondent of an unguided reply to said question; a first storing for storing in

a processing server the free reply input by the first respondent as a reply option to said question; closing performed by the first terminal the input form presented to the first respondent; a second questioning performed by a second terminal by presenting an input form with said question and the stored free reply to a second respondent after storing the input free reply; and accepting performed by the second terminal a choice of the stored free reply as a reply to said question on the input form presented to the second respondent." (Emphasis added)

Independent claim 13 has a similar recitation.

That is, according to an exemplary embodiment, for example, "a first questioning . . . ; and closing . . . the input form" are performed by a first device that is a different device than a second device that performs "a second questioning . . . ; and accepting a choice . . . "

Independent claim 10, for example, recites a polling device including "a first question unit configured to present an input form with a question to a first respondent. . . ; a receiving unit configured to receive, from the processing server, an input form with the question and the free reply as a reply option to said question; a second question unit configured to present the received input form with said question and the free reply to a second respondent; and an accepting unit configured to accept a choice of the free reply as a reply to said question on the input form presented to the second respondent." (Emphasis added). Independent claims 11 and 12 have similar recitations.

That is, according to an exemplary embodiment a presenting of an input form with a question to a first respondent and the receiving of the reply and questioning of a second respondent are performed by different devices.

In other words according to an exemplary embodiment a free reply inputted on a first-respondent terminal is presented on a different terminal, i.e., a second-respondent terminal. Accordingly, an already-made free reply may be chosen as a reply to a question on the second-respondent terminal.

\* \* \*

Applicants submit that Patterson does not teach a first device that performs "a first questioning . . . ; and closing . . . the input form" and a second device that performs "a second questioning . . . ; and accepting a choice . . . , as recited by claim 1, for example.

By contrast, Patterson merely teaches that data inputted in the past is stored in a same terminal that also displays the stored inputs.

On page 5, lines 4-7 of the Office Action, the Examiner asserts, for example, that

Patterson's disclosure on pages 60-61 and 76 of:

MS Excel provides the "autofill," "autocomplete" and "picking from the list" tools, where a previous entry in a cell may be used to fill in a second entry in another cell

teaches "and presenting to the respondent the reply stored," for example.

That is, as the Examiner asserts, Patterson merely teaches a same device for a closing an input form after a first questioning, performing second questioning, and accepting the choice.

Thus, Applicants submit that all of the features recited by each of the independent claims are not taught by Patterson, alone or in combination with the art of record.

\* \* \*

Nothing in the teaching of Walker overcomes the deficiencies in the teaching of Patterson discussed above.

\* \* \*

Since all of the features recited by each of the independent claims are not taught by even a combination of the art of record, the rejections should be withdrawn.

\* \* \*

Dependent claims 2-9 and 14-15 inherit the patentable recitations of base claim 1, and therefore, patentably distinguish over the cited art for at least the reasons discussed above.

## Conclusion

Since all of the features recited by claims 1-15 are not taught by the current art of record, the rejections should be withdrawn and claims 1-15 allowed.

## New Claim

New claim 16 is presented to recite features of an exemplary embodiment in a different fashion. Claim 16 recites a polling system including "a terminal presenting a question to a first respondent, obtaining a free reply by accepting an unguided reply; and a processing server storing the free reply as a reply option to be presented to a second respondent by the terminal."

No new matter has been added and accordingly, entry and approval of claim 16 are respectfully requested.

These, and other, features of claim 16 patentably distinguish over the cited art, and they are submitted to be allowable for the recitation therein.

## CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the

application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: October 13, 2009

By: Paul W. Bobowec  
Paul W. Bobowec  
Registration No. 47,431

1201 New York Ave, N.W., 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501